

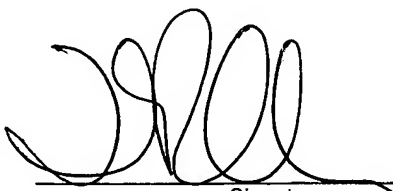
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) 0649-0941P	
	Application Number 10/770,501-Conf. #1757	Filed February 4, 2004	
	First Named Inventor Kenkichi HAYASHI		
	Art Unit 2622	Examiner C. K. Peterson	
<p>Applicant requests review of the final rejection in the above-identified application. This request is being filed with an Amendment after Final Rejection.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <div><div>I am the</div><div><input type="checkbox"/> applicant /inventor.</div><div><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</div><div><input checked="" type="checkbox"/> attorney or agent of record. Registration number 40,439</div><div><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34.</div></div> <div><div> Signature</div><div>D. Richard Anderson Typed or printed name</div><div>(703) 205-8035 Telephone number</div><div>April 4, 2008 Date</div></div> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p> <div><input type="checkbox"/> *Total of 1 forms are submitted.</div>			



Docket No.: 0649-0941P  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Kenkichi HAYASHI

Application No.: 10/770,501

Confirmation No.: 1757

Filed: February 4, 2004

Art Unit: 2622

For: A SIGNAL PROCESSING METHOD, A  
SIGNAL PROCESSOR CIRCUIT, AND  
IMAGING APPARATUS

Examiner: C. K. Peterson

**REQUEST FOR A PRE-APPEAL BRIEF CONFERENCE**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

April 4, 2008

Sir:

**INTRODUCTORY COMMENTS**

Applicant respectfully requests review of the final rejection in the above-identified application.

This request is being filed concurrently with a Notice of Appeal.

This request is being filed concurrently with an Amendment after Final.

The review is being requested for the reasons set forth on the attached three (3) Sheets.

## **ARGUMENTS**

Applicant respectfully submits that the Examiner has made the following clear error:

The Examiner is improperly applying the prior art in rejecting claim 1 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Kutner (U.S. Patent 4,786,968) in view of Ota (U.S. Patent 4,987,426) in further view of Masaya (Japanese Patent No. 2001-008104); and rejecting claim 2 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Kutner in view of Ota in view of Masaya in further view of Utagawa (US Patent No. 6,529,640).

### **The Examiner has Failed to Establish a Prima Facie Case for Obviousness**

#### **by Failing to Provide References that Teach or Suggest All of the Claim Elements**

With regard to claim 1, the Examiner alleges that the combination of Kutner and Ota discloses the features as set forth in claim 1. Applicant respectfully disagrees with this allegation and submits that the teachings of Kutner and Ota are insufficient to make obvious the present invention.

The Examiner concedes that Kutner fails to disclose “a table overwriter, for overwriting the LUT written into the table storage area with another LUT and a first and second digital signal and synthesizing the first digital signal and the second digital signal.” See Final Office Action, page 6, lines 3-5. However, the examiner alleges that Ota discloses “a table overwriter (microcomputer), for overwriting the LUT written into the table storage area with another LUT.” See Final Office Action, page 6, lines 6-7. Thus, the Examiner submits that Ota makes up for the deficiencies in Kutner. Applicant respectfully disagrees with this allegation.

For example, Applicant respectfully submits that Ota fails to teach or suggest an overwriting step of overwriting a LUT written into a table storage area with another LUT, in accordance with a content of each of a plurality of processes executed to a first signal or a second signal as set forth in dependent claim 1.

Ota discloses that “the look-up table 5 is usually constituted by a RAM, and its content can be freely rewritten by a microcomputer and the like” (col. 8 lines 12-15). However, Ota fails to teach or suggest based on what the content of the RAM (look-up table 5) is rewritten. To the

contrary, independent claim 1 recites overwriting the LUT written into the table storage area with another LUT in accordance with a content of each of a plurality of processes executed to a first signal or a second signal. Accordingly, Applicant believes that the independent claim 1 is patentable over the combination of Ota and the other cited references.

Accordingly, Applicant respectfully submits that the Examiner has failed to satisfy the burden under 35 U.S.C. §103(a) because the limitation “an overwriting step of overwriting a LUT written into a table storage area with another LUT, in accordance with a content of each of a plurality of processes executed to a first signal or a second signal” fails to be met by the cited references.

**Conclusion**

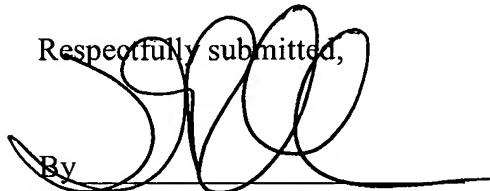
In view of the foregoing, Applicant respectfully submits that the application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned, at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: April 4, 2008

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Anderson', written over a horizontal line.

By

D. Richard Anderson

Registration No. 40,439

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